

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.10906 of 2024

Arising Out of PS. Case No.-123 Year-2023 Thana- VAISHALI District- Vaishali

Chandan Kumar S/o. Ramesh Sahni R/o- Village- Imadpur, PS- Bhagwanpur,
Distt- Vaishali

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mrs. Rina Sinha, Advocate
		Mr. Dharendra Prasad Sinha, Advocate
For the Opposite Party/s	:	Mr. Binod Kumar, APP

CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER

2 22-02-2024 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.

2. The petitioner seeks regular bail in connection with
Vaishali (Belsar O.P.) P.S. Case No.123 of 2023, lodged on
26.03.2023, under Sections 399/402/414 of the Indian Penal
Code and under Sections 25(1-b)A/26/35 of the Arms Act.

3. As per the prosecution, FIR has been lodged against
six named accused persons including the present petitioner. It
has been alleged in the FIR that all the six accused persons were
planning for commission of a crime. Upon secret information
police reached there and they were arrested. From the seizure-
list it transpires that one country-made pistol and one live
cartridge were recovered from the possession of petitioner.

4. Learned counsel for the petitioner submits that the



petitioner is innocent and has committed no offence. He submits that the petitioner is in custody since 27.03.2023 and is accused in one more criminal case, in which he is on bail. Counsel further submits that charge sheet has already been filed in this case.

5. Learned counsel for the State opposes the prayer for bail and submits that the antecedent of the petitioner is not clean and this aspect may be taken into consideration.

6. In the present facts and circumstances of this case and the submissions made above, let the petitioner, above named, be granted bail **only after framing of the charge, if not framed, and on being satisfied that petitioner is not absconding in Rajapakar P.S. Case No.217 of 2023**, on furnishing bail bonds of Rs.30,000/- (Rupees Thirty thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Vaishali at Hajipur, in connection with Vaishali(Belsar O.P.) P.S. Case No.123 of 2023, subject to the conditions as laid down under Section 437(3) of the Code of Criminal Procedure with other following conditions:

(i) One of the bailor should be the family member of the petitioner who shall provide official document to show his



bona fide;

(ii) The petitioner shall appear on each and every date before the Trial Court and failure to do so for two consecutive dates without plausible reason will entail cancellation of his bail bonds by the Trial Court itself;

(iii) The petitioner shall appear before the concerned police station every month for one year to mark attendance;

(iv) The petitioner shall in no way try to induce or promise or threat the witnesses or tamper with the evidence, failing which the State shall be at liberty to take steps for cancellation of the bail bonds; and

(v) The petitioner shall desist from committing any criminal offence again, failing which the State shall be at liberty to take steps for cancellation of the bail bonds.

(Dr. Anshuman, J)

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